

## **Tentative Rulings**

### **Law & Motion and Family Law Calendar for August 9, 2010**

August 5, 2010, 4:00p.m.

Judge Janet Hilde  
Department Two

**To request a hearing on any matter on this calendar, you must call the Court at 530/283-6305 by 12:00 noon, August 6th, notice of the intention to appear must also be given to all other parties. If the clerk is not notified of a party's intention to appear, there will be no hearing and the tentative ruling becomes the order of the court.**

### **Probate – 9:00a.m.**

#### **Case No. PR10-00019 - Estate of Jenkins**

Tentative Ruling: **Approved, in part, and denied, in part.** The court finds that notice has been given as required by law. Petitioner's request for probate and appointment of administrator is granted. However, based upon the objection filed by Nathan Jenkins, and after considering the petitioner's response, the court will not grant full authority to the administrator under the IAEA, but will grant limited authority. In addition, bond will be fixed at \$750,000. Virginia Miller is appointed probate referee.

#### **Case No. PR06-6341– Guardianship of Rouse-Pierson**

Tentative Ruling: **No appearance required.** The court has received the guardianship status report and finds that guardianship is in the best interest of the child. The court sets the annual review date for August 8, 2011, at 9:00a.m. The clerk is directed to send notice informing the guardian of the duty to complete a confidential status report and include a blank form for the guardians to complete and return by mail at least one month before the report is due.

#### **Case No. FL03-24357 – Rouse vs. Pierson**

Tentative Ruling: **No appearance required.** This matter is taken off calendar.

#### **Case No. PR6189 – Guardianship of Wright**

Tentative Ruling: **No appearance required.** The court has received the guardianship status report and finds that guardianship is in the best interest of the child. The court sets the annual review date for July 11, 2011, at 9:00a.m. The clerk is directed to send notice informing the guardian of the duty to complete a confidential status report and include a blank form for the guardians to complete and return by mail at least one month before the report is due.

### **Civil – 9:30a.m.**

No calendar at this time.

## **Family Law – 10:30a.m.**

### **Case No. FL09-00139 – Mar. of Artaz**

Tentative Ruling: **Appearance required.** The court will discuss the child custody evaluation with the parties.

### **Case No. FL09-00187 – Mar. of Bartos**

Tentative Ruling: **Appearance required.** If the court receives the judgment prior to the hearing, this matter may be taken off calendar.

### **Case No. FL09-00166 – Cash vs. Cobb**

Tentative Ruling: **Appearance required.** The court will review the visitation schedule.

### **Case No. FL08-28562 – Mar. of Dedeker**

Tentative Ruling: **Appearance required.** The court will set a trial date.

### **Case No. FL10-00152 – Emery vs. Early**

Tentative Ruling: **No appearance required.** The court has conferred with the Honorable Judge Lori Sattler in New York, and finds that New York is the most appropriate forum to exercise jurisdiction. There are allegations of domestic violence, and, as a result, the court finds that New York is better able to protect the parties and the child. In addition, the child has lived in New York longer than in California. Although the child was born in California, the respondent moved with the child to New York within three weeks of the child's birth, and the petitioner has never lived with the child. Therefore, this court dismisses the California case.

### **Case No. FL08-00105 – Gardner vs. Olson**

Tentative Ruling: **No appearance required.** The court denies an evidentiary hearing on the court's review of visitation. However, respondent has filed an order to show cause for modification of visitation, which will be heard on August 23, 2010, to address the same issue. In addition, the court notes there is no judgment in the file.

### **Case No. FL10-00051 – Gifford vs. Thielman**

Tentative Ruling: **Appearance required.**

### **Case No. FL01-22146 – Mar. of Lamattina**

Tentative Ruling: **No appearance required.** The court has received the income and expense declaration from respondent, but no income and expense declaration from petitioner. Based on respondent's declaration, the court continues the previous spousal support order. Petitioner is ordered to continue to pay respondent the sum of \$200 per month in spousal support, until further order of the court.

**Case No. FL09-00181 – Mar. of McGirr**

Tentative Ruling: **Appearance required by Respondent only.** OSC hearing on respondent's failure to pay filing fees. If filing fees are paid prior to the court hearing, this matter may be taken off calendar.

**Case No. FL10-00107 – McIntosh vs. Berry**

Tentative Ruling: **No appearance required.** Respondent's motion for dismissal of the petition to establish paternity is granted. Respondent has shown the court proof of DNA results that eliminate him as the father.

**Case No. FL10-00150 – Satterlee vs. Lisenbery**

Tentative Ruling: **Appearance required.**

**Case No. FL08-28352 – Mar. of Wiseman**

Tentative Ruling: **Appearance required.** The court will order the parties to orientation and mediation.

# **CASE MANAGEMENT CONFERENCE TENTATIVE RULINGS**

## **Case No. CV10-00023 – Alexander vs. Plumas District Hospital**

Tentative Ruling: **No appearance required.** A writ of mandate has been issued and a return filed. Therefore, it appears this matter has been resolved, and no further proceedings are necessary. This case will be dismissed, unless either party objects.

## **Case No. LC09-00145 – Capital One vs. Papp**

Tentative Ruling: **Appearance required.** The parties should be prepared to set a trial date. The court notes this case is over one year old.

## **Case No. CV10-00008 – Edward vs. Bellflower**

Tentative Ruling: **No appearance required.** This matter is scheduled for a prove-up hearing before the Honorable Judge William Burby on August 12, 2010, at 10:00a.m., in Dept. 4. Plaintiff is required to give notice to the defendants.

## **Case No. CV10-00027 – Juska vs. Ward**

Tentative Ruling: **Appearance required.** Plaintiff has failed to file a timely case management conference statement. Should there be any further violations of Rule 3.725, this matter will be set for an order to show cause and sanctions may be imposed. The court also does not have a proof of service in the file on the defendant.

## **Case No. LC10-00025 – Security Credit Services vs. Aiono**

Tentative Ruling: **No appearance required.** This matter is continued to September 27, 2010, at 1:30p.m., for case management conference. The court notes this is a collections case. Plaintiff has not filed a proof of service, nor obtained an order for publication, pursuant to Rule 3.740(d). If proof of service on all defendants are not filed or the plaintiff has not obtained an order for publication of the summons within 180 days after the filing of the complaint, the court may issue an order to show cause why reasonable monetary sanctions should not be imposed.

## **Case No. CV09-00093 – Bauer vs. Almanor Manufacturing**

Tentative Ruling: **No appearance required.** A motion to sever causes of action is scheduled for August 23, 2010, at 9:30a.m. The court will make a tentative ruling on plaintiff's motion on August 19, and, if necessary, reschedule or hear the case management conference at that time.

## **Case No. SC09-P0100 – Feather River Rail Society vs. Morgan**

Tentative Ruling: This matter is trailing case no. CV10-00014.

## **Case No. CV10-00014 – Morgan vs. Feather River Rail Society**

Tentative Ruling: **Appearance required.** The court will confirm the name of the mediator, and date for mediation.

**Case No. CV10-00007 – Huffman vs. Vargas**

Tentative Ruling: **Appearance required.** The parties should be prepared to discuss ADR options and set a trial date.